

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

DYNAMIC MACHINE WORKS INC., )  
Plaintiff )

)

)

Docket No. 04-10525-WGY

)

MACHINE & ELECTRICAL )  
CONSULTANTS, INC. )  
Defendant )

**JOINT STATEMENT**

A. **Discovery Deadlines and Procedures**

1. To the extent the parties have not yet complied with FRCP 26(a)(1), on or before May 30, 2004, the parties shall make the initial disclosures required by FRCP 26(a)(1) of the names, addresses, and telephone numbers of individuals likely to have discoverable information, copies of documents that the disclosing party may use to support its claims and defenses, a computation of damages, and any insurance agreement that may provide coverage for liability.
2. The disclosure of expert testimony required by FRCP 26(a)(2) shall be made by plaintiff on or before October 1, 2004 and by defendant on or before December 1, 2004.
3. The parties shall complete non-expert discovery no later than October 30, 2004. Written interrogatories, requests for admissions and like discovery requests shall be served at such time that the applicable response date under the Federal Rules of Civil Procedure will be earlier than the date by which discovery must be completed.
4. The number of depositions of non-expert witnesses shall be limited to six (6) per party.
5. Depositions of plaintiff's expert(s) shall be completed on or before December 15,

2004.

6. Depositions of defendant's expert(s) shall be completed on or before February 15, 2005.

7. On or before March 1, 2005 the parties shall disclose their lists of witnesses and exhibits to the Court and each other as required by FRCP 26(a)(3).

**B. Phased Discovery**

8. Phased discovery is not desirable.

**C. Motions**

9. Motions for Summary Judgment shall be filed and served on or before March 15, 2005.

**Certifications**

10. Counsel hereby affirm that each has conferred with their respective parties (a) with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation; and (b) the consideration of alternative dispute resolution programs.

Dated: April 23, 2004

Respectfully submitted,  
DYNAMIC MACHINE WORKS INC.  
By its Attorney,

/s/ Jack Bryan Little  
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